



Journal of the Senate

State of Indiana

116th General Assembly

First Regular Session

Thirty-sixth Meeting Day

Thursday Afternoon

March 26, 2009

The Senate convened at 2:07 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Dave Waters, Middletown First Baptist, Middletown.

The Pledge of Allegiance to the Flag was led by Senator Beverly J. Gard.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Arnold	Lubbers
Becker	Merritt
Boots	Miller
Bray	Mishler
Breaux	Mrvan
Brodén	Nugent
Buck	Paul
Charbonneau	Randolph
Deig	Rogers
Delph	Simpson
Dillon	Sipes
Errington	Skinner
Gard	Steele
Head	Stutzman
Hershman	Tallian
Holdman	Taylor
Hume	Walker
Kenley	Waltz
Kruse	Waterman
Lanane	Wyss
Landske	Yoder
Lawson	M. Young
Leising	R. Young
Lewis	Zakas

Roll Call 274: present 50. The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 63

House Concurrent Resolution 63, sponsored by Senator Head:

A CONCURRENT RESOLUTION memorializing Trooper Daniel Roy Barrett by renaming the bridge one-half mile south of the intersection of State Road 110 and U.S. Highway 31 in his honor.

Whereas, Trooper Daniel Roy Barrett was killed in the line of duty during a routine traffic stop on Sunday, January 27, 2008, at the age of 25;

Whereas, At the time of his death, Trooper Barrett was in pursuit of a vehicle traveling at a high rate of speed;

Whereas, The road conditions were less than ideal at the time of the accident, and Trooper Barrett lost control of his vehicle and crashed into a tree;

Whereas, Trooper Barrett died at the scene;

Whereas, Trooper Barrett had served with the Indiana State Police for only six months and was assigned to the Peru post;

Whereas, Trooper Barrett is survived by his parents, two brothers, and a sister; and

Whereas, Trooper Barrett will be missed by many who loved him and respected him, because he enriched our lives with many contributions to his community and state: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors and pays tribute to Trooper Daniel Roy Barrett for the many and varied contributions he made in the law enforcement field. That Indiana is a much better place for his having passed this way. As a memorial in his honor, the Indiana General Assembly requests the Indiana Department of Transportation to rename the bridge one half mile south of the intersection of State Road 110 and U.S. Highway 31 the "Trooper Daniel Roy Barrett Bridge".

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Trooper Daniel Roy Barrett and to the commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

Senate Resolution 45

Senate Resolution 45, introduced by Senator Holdman:

A SENATE RESOLUTION urging the legislative council to establish an interim study committee to study whether unused bankruptcy exemption amounts in one category of property can be applied as additional exemption amounts in another category of property.

Whereas, Determining the correct use of bankruptcy exemptions is one of the most challenging parts of filing for bankruptcy: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish an interim study committee to study whether unused bankruptcy exemption amounts in one category of property can be applied as additional exemption amounts in another category of property.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council, and that the committee shall issue a final report when directed to do so by the council.

The resolution was read in full and referred to the Committee on Judiciary.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 65(b), I hereby report that, subsequent to the adoption of the Rules and Legislative Procedure Committee Report on March 23, 2009, Engrossed House Bill 1121 was reassigned to the Committee on Rules and Legislative Procedure.

LONG

Report adopted.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed House Bill 1230.

Page 7, delete lines 29 through 42.

Delete page 8.

Page 9, delete lines 1 through 15.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1230 as reprinted March 25, 2009.)

LONG, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1603, which is eligible for third reading, be returned to second reading for purposes of amendment.

STUTZMAN

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to

which was referred Engrossed House Bill 1077, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 2. IC 32-28-13-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A person who wishes to record a common law lien must file with the county recorder of a county in which the real or personal property against which the common law lien is to be held is located a statement of the person's intention to hold a common law lien against the real or personal property. **The statement must be recorded not later than sixty (60) days after the date of the last service provided by the person who wishes to record the lien.**

(b) A statement of intention to hold a common law lien must meet all of the following requirements:

(1) Except as provided in subsection (d), the person filing the statement must swear or affirm that the facts contained in the statement are true to the best of the person's knowledge.

(2) The statement must be filed in duplicate.

(3) The statement must set forth:

(A) the amount claimed to be owed by the property owner to the lienholder;

(B) the name and address of the lienholder;

(C) the name of the property owner;

(D) the last address of the property owner as shown on the property tax records of the county;

(E) the legal description and street and number, if any, of the real property against which the common law lien is filed;

(F) a full description of the personal property against which the common law lien is filed, including the location of the personal property; and

(G) the legal basis upon which the person asserts the right to hold the common law lien.

(c) The recorder shall send by first class mail one (1) of the duplicate statements filed under subsection (b) to the property owner at the address listed in the statement within three (3) business days after the statement is recorded. The county recorder shall record the date the statement is mailed to the property owner under this subsection. The county recorder shall collect a fee of two dollars (\$2) from the lienholder for each statement that is mailed under this subsection.

(d) The statement of intention to hold a common law lien required under subsection (b) may be verified and filed on behalf of a client by an attorney registered with the clerk of the supreme court as an attorney in good standing under the requirements of the supreme court."

Page 5, between lines 32 and 33, begin a new paragraph and insert:

"(c) A special tool builder is entitled to court costs and reasonable attorney's fees for expenses incurred under this section."

Renumber all SECTIONS consecutively.

(Reference is to HB 1077 as reprinted February 21, 2009.)

and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1498, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1546, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1701, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1362, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "health care" and insert **"individuals certified by the emergency medical services commission established by IC 16-31-2-1"**.

Page 1, line 9, delete "providers trained to provide pre-hospital emergency services".

Page 1, line 14, delete "health care providers" and insert **"individuals"**.

(Reference is to HB 1362 as printed February 3, 2009.)
and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1205, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 7, after "(c)." insert **"However, for each instance of emergency firefighting activity or other emergency response that results in an injury to an employee, this subsection applies only to the period of the employee's absence from work that does not exceed six (6) months from the date of the injury."**

Page 2, between lines 18 and 19, begin a new paragraph and insert:

"(e) The state personnel department shall administer an absence from employment under subsection (b) in a manner consistent with the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), as amended and in effect on January 1, 2009."

Page 2, after line 42, begin a new line blocked left and insert **"However, for each instance of emergency firefighting activity or other emergency response that results in an injury to an employee, subdivision (3) applies only to the period of the employee's absence from work that does not exceed six (6) months from the date of the injury."**

Page 4, between lines 15 and 16, begin a new line blocked left and insert **"However, for each instance of emergency firefighting activity or other emergency response that results in an injury to an employee, subdivision (3) applies only to the period of the employee's absence from work that does not exceed six (6) months from the date of the injury."**

Page 5, after line 22, begin a new paragraph and insert:

"(c) An employer shall administer an absence from employment as set forth in section 10.5(c)(3) or 10.7(b)(3) in a manner consistent with the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), as amended and in effect on January 1, 2009."

(Reference is to HB 1205 as printed February 17, 2009.)
and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1012, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1107, has had the same under consideration and begs leave

to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

LUBBERS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1175, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 11 and 12, begin a new paragraph and insert:

"(b) As used in this section, "defense counsel" includes an agent of:

(1) the defense counsel; or

(2) the defendant."

Page 2, line 12, delete "(b)" and insert "(c)".

Page 2, line 12, after "if" insert **"defense"**.

Page 2, line 12, delete "for a".

Page 2, line 13, delete "defendant".

Page 2, line 13, delete "depose or".

Page 2, line 14, after "or" insert **"defense"**.

Page 2, line 14, delete "for the defendant".

Page 2, line 17, delete "or deposition".

Page 2, delete lines 19 through 30.

Page 2, line 31, delete "(e)" and insert **"(d)"**.

Page 2, line 32, delete "deposition," and insert **"interview,"**.

Page 2, line 33, delete "deposition under Trial Rule 26" and insert **"interview"**.

Page 2, line 33, after "to the" delete "deposition" and insert **"interview"**.

Page 2, line 37, delete "deposition." and insert **"interview."**.

(Reference is to HB 1175 as reprinted February 24, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1040, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, after "may" insert **", if the protected person has been found by the court to lack testamentary capacity,"**.

Page 2, line 11, after "ascertained." insert **"If the protected person has a will, the protected person's distribution of assets under the will is prima facie evidence of the protected person's intent."**

(Reference is to HB 1040 as printed February 6, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1581, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 22, delete "corporation (including a charter" and insert **"corporation, charter school, and"**.

Page 2, line 23, delete "school) and each" and insert **"accredited"**.

Page 2, line 23, delete "that voluntarily has become".

Page 2, line 24, delete "accredited under IC 20-19-2-8".

Page 2, line 25, delete "9" and insert **"6"**.

Page 2, line 27, delete "corporation (including a charter school) or a" and insert **"corporation, a charter school, and an accredited"**.

Page 2, line 28, delete "that voluntarily has become accredited under".

Page 2, line 29, delete "IC 20-19-2-8".

Page 2, delete lines 33 through 39, begin a new paragraph and insert:

"(c) The state board shall adopt a curriculum that ensures personal financial responsibility is taught:

(1) in a manner appropriate for each grade level; and

(2) as a separate subject or as units incorporated into appropriate subjects;

as determined by the state board."

(Reference is to HB 1581 as printed February 17, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

LUBBERS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1573, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-22-2-37.1, AS AMENDED BY P.L.90-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 37.1. (a) This section applies to a rulemaking action resulting in any of the following rules:

(1) An order adopted by the commissioner of the Indiana department of transportation under IC 9-20-1-3(d) or IC 9-21-4-7(a) and designated by the commissioner as an emergency rule.

(2) An action taken by the director of the department of natural resources under IC 14-22-2-6(d) or IC 14-22-6-13.

(3) An emergency temporary standard adopted by the occupational safety standards commission under IC 22-8-1.1-16.1.

(4) An emergency rule adopted by the solid waste management board under IC 13-22-2-3 and classifying a waste as hazardous.

(5) A rule, other than a rule described in subdivision (6), adopted by the department of financial institutions under IC 24-4.5-6-107 and declared necessary to meet an emergency.

(6) A rule required under IC 24-4.5-1-106 that is adopted by the department of financial institutions and declared necessary to meet an emergency under IC 24-4.5-6-107.

(7) A rule adopted by the Indiana utility regulatory commission to address an emergency under IC 8-1-2-113.

(8) An emergency rule adopted by the state lottery commission under IC 4-30-3-9.

(9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the executive board of the state department of health declares is necessary to meet an emergency.

(10) An emergency rule adopted by the Indiana finance authority under IC 8-21-12.

(11) An emergency rule adopted by the insurance commissioner under IC 27-1-23-7.

(12) An emergency rule adopted by the Indiana horse racing commission under IC 4-31-3-9.

(13) An emergency rule adopted by the air pollution control board, the solid waste management board, or the water pollution control board under IC 13-15-4-10(4) or to comply with a deadline required by or other date provided by federal law, provided:

(A) the variance procedures are included in the rules; and

(B) permits or licenses granted during the period the emergency rule is in effect are reviewed after the emergency rule expires.

(14) An emergency rule adopted by the Indiana election commission under IC 3-6-4.1-14.

(15) An emergency rule adopted by the department of natural resources under IC 14-10-2-5.

(16) An emergency rule adopted by the Indiana gaming commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3, IC 4-33-4-14, or IC 4-35-4-2.

(17) An emergency rule adopted by the alcohol and tobacco commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or IC 7.1-3-20-24.4.

(18) An emergency rule adopted by the department of financial institutions under IC 28-15-11.

(19) An emergency rule adopted by the office of the secretary of family and social services under IC 12-8-1-12.

(20) An emergency rule adopted by the office of the children's health insurance program under IC 12-17.6-2-11.

(21) An emergency rule adopted by the office of Medicaid policy and planning under IC 12-15-41-15.

(22) An emergency rule adopted by the Indiana state board of animal health under IC 15-17-10-9.

(23) An emergency rule adopted by the board of directors of the Indiana education savings authority under IC 21-9-4-7.

(24) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-34 (repealed).

(25) An emergency rule adopted by the department of local government finance under IC 6-1.1-4-33 (repealed).

(26) An emergency rule adopted by the boiler and pressure vessel rules board under IC 22-13-2-8(c).

(27) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-37(l) (repealed) or an emergency rule adopted by the department of local government finance under IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.

(28) An emergency rule adopted by the board of the Indiana economic development corporation under IC 5-28-5-8.

(29) A rule adopted by the department of financial institutions under IC 34-55-10-2.5.

(30) A rule adopted by the Indiana finance authority:

(A) under IC 8-15.5-7 approving user fees (as defined in IC 8-15.5-2-10) provided for in a public-private agreement under IC 8-15.5;

(B) under IC 8-15-2-17.2(a)(10):

(i) establishing enforcement procedures; and

(ii) making assessments for failure to pay required tolls;

(C) under IC 8-15-2-14(a)(3) authorizing the use of and establishing procedures for the implementation of the collection of user fees by electronic or other nonmanual means; or

(D) to make other changes to existing rules related to a toll road project to accommodate the provisions of a public-private agreement under IC 8-15.5.

(31) An emergency rule adopted by the board of the Indiana health informatics corporation under IC 5-31-5-8.

(32) An emergency rule adopted by the Indiana real estate commission under IC 25-34.1-2-5(15).

(b) The following do not apply to rules described in subsection (a):

(1) Sections 24 through 36 of this chapter.

(2) IC 13-14-9.

(c) After a rule described in subsection (a) has been adopted by the agency, the agency shall submit the rule to the publisher for the assignment of a document control number. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the format of the rule and other documents to be submitted under this subsection.

(d) After the document control number has been assigned, the agency shall submit the rule to the publisher for filing. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the format of the rule and other documents to be submitted under this subsection.

(e) Subject to section 39 of this chapter, the publisher shall:

(1) accept the rule for filing; and

(2) electronically record the date and time that the rule is accepted.

(f) A rule described in subsection (a) takes effect on the latest of the following dates:

(1) The effective date of the statute delegating authority to the agency to adopt the rule.

(2) The date and time that the rule is accepted for filing under subsection (e).

(3) The effective date stated by the adopting agency in the rule.

(4) The date of compliance with every requirement established by law as a prerequisite to the adoption or effectiveness of the rule.

(g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6, IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in subsections (j), (k), and (l), a rule adopted under this section expires not later than ninety (90) days after the rule is accepted for filing under subsection (e). Except for a rule adopted under subsection (a)(13), (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting another rule under this section, but only for one (1) extension period. The extension period for a rule adopted under subsection (a)(28) may not exceed the period for which the original rule was in effect. A rule adopted under subsection (a)(13) may be extended for two (2) extension periods. Subject to subsection (j), a rule adopted under subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited number of extension periods. Except for a rule adopted under subsection (a)(13), for a rule adopted under this section to be effective after one (1) extension period, the rule must be adopted under:

- (1) sections 24 through 36 of this chapter; or
- (2) IC 13-14-9;

as applicable.

(h) A rule described in subsection (a)(8), (a)(12), or (a)(29) expires on the earlier of the following dates:

- (1) The expiration date stated by the adopting agency in the rule.
- (2) The date that the rule is amended or repealed by a later rule adopted under sections 24 through 36 of this chapter or this section.

(i) This section may not be used to readopt a rule under IC 4-22-2.5.

(j) A rule described in subsection (a)(24) or (a)(25) expires not later than January 1, 2006.

(k) A rule described in subsection (a)(28) expires on the expiration date stated by the board of the Indiana economic development corporation in the rule.

(l) A rule described in subsection (a)(30) expires on the expiration date stated by the Indiana finance authority in the rule.

(m) A rule described in subsection (a)(5) or (a)(6) expires on the date the department is next required to issue a rule under the statute authorizing or requiring the rule."

Page 2, line 13, after "employee's" insert ":". "

Page 2, line 13, after "national" begin a new line block indented and insert:

- "(1) national criminal history; or**
- (2) until July 1, 2010,".**

Page 2, line 25, after "history." insert **"This subsection expires June 30, 2010."**

Page 2, line 30, delete "of".

Page 2, line 31, delete "prior to" and insert **"before"**.

Page 2, line 34, after "history." insert **"This subsection expires June 30, 2010."**

Page 2, line 39, after "(1) a" insert ":

- (A) national criminal history under subsection (a)(1);**
- or**

(B)".

Page 2, line 39, after "subsection" delete "(a);" and insert **"(a)(2) until June 30, 2010;"**.

Page 2, line 41, after "by" insert ":

- (A) subsection (a)(1); or**
- (B)".**

Page 2, line 42, delete "." and insert **"until June 30, 2010."**

Page 4, line 19, delete "." and insert **"or other disaster by no fault of the provider."**

Page 4, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 8. IC 20-28-12-3, AS AMENDED BY P.L.2-2007, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. An individual who applies for an endorsement as an independent practice school psychologist must meet the following requirements:

- (1) Be licensed as a school psychologist by the department.
- (2) Be employed by a:
 - (A) developmental center;
 - (B) state hospital;
 - (C) public or private hospital;
 - (D) mental health center;
 - (E) rehabilitation center;
 - (F) private school; or
 - (G) public school;

at least thirty (30) hours per week during the contract period unless the individual is retired from full-time or part-time employment as a school psychologist or the individual has a medical condition or physical disability that restricts the mobility required for employment in a school setting.

(3) Furnish satisfactory evidence to the department that the applicant has received at least a sixty (60) **graduate semester hour or ninety (90) quarter hour** master's or specialist degree in school psychology from:

- (A) a recognized postsecondary educational institution; or
- (B) an educational institution not located in the United States that has a program of study that meets the standards of the department.

(4) Furnish satisfactory evidence to the department that the applicant has demonstrated graduate level competency through the successful completion of course work and a ~~practicum in the areas of assessment and counseling~~; **one thousand two hundred (1,200) hour supervised internship of school psychology, of which at least six hundred (600) hours must be in a school setting.**

(5) Furnish satisfactory evidence to the department that the applicant has **successfully completed** at least one thousand two hundred (1,200) hours of school psychology experience ~~beyond the master's degree level~~; **after completion of graduate degree requirements and not including the supervised internship for degree or licensing requirements.** At least six hundred (600) hours must be in a school setting under the supervision of any of the following:

- (A) A physician licensed under IC 25-22.5.
- (B) A psychologist licensed under IC 25-33.
- (C) A school psychologist endorsed under this chapter **or currently holding a national certification from the National Association of School Psychologists.**

(6) Furnish satisfactory evidence to the department that the applicant has completed, in addition to the requirements in subdivision (5), at least: ~~four hundred (400)~~

(A) twelve (12) hours of supervised experience training provided by a health service professional in psychology licensed under IC 25-33-1 or a psychiatrist licensed as a physician under IC 25-22.5 in the identification and referral of mental and behavioral disorders; including at least one (1) hour each week of direct personal supervision by a:

(A) physician licensed under IC 25-22.5;

(B) psychologist licensed under IC 25-33; or

(C) school psychologist endorsed under this chapter;

with at least ten (10) hours of direct personal supervision; and

(B) ten (10) case studies or evaluations requiring the identification or referral of mental or behavioral disorders. Case studies or evaluations may include the following:

(i) Consultations with teachers and parents.

(ii) Intervention services, excluding psychotherapy.

(iii) Functional behavior assessments.

(iv) Behavior improvement plans.

(v) Progress monitoring.

(7) Furnish satisfactory evidence to the department that the applicant has completed, in addition to the requirements of subdivisions (5) and (6), ~~fifty-two (52)~~ **thirty (30)** hours of supervision with a physician licensed under IC 25-22.5, a psychologist licensed under IC 25-33, or a school psychologist endorsed under this chapter **or currently holding national certification from the National Association of School Psychologists** that meets the following requirements:

(A) The ~~fifty-two (52)~~ **thirty (30)** hours must be completed within at least twenty-four (24) consecutive months but not less than ~~twelve (12)~~ **six (6)** months.

(B) Not more than one (1) hour of supervision may be included in the total for each week.

~~(C) At least nine hundred (900) hours of direct client contact must take place during the total period under clause (A).~~

(8) Furnish satisfactory evidence to the department that the applicant does not have a conviction for a crime that has a direct bearing on the applicant's ability to practice competently.

(9) Furnish satisfactory evidence to the department that the applicant has not been the subject of a disciplinary action by a licensing or certification agency of any jurisdiction on the grounds that the applicant was not able to practice as a school psychologist without endangering the public.

(10) Pass the examination provided by the department."

Page 5, line 31, delete "office," and insert "**office**".

Page 5, line 32, delete "done," and insert "**done**".

Page 11, delete lines 27 through 42.

Page 12, delete lines 1 through 8.

Page 18, delete lines 20 through 42.

Page 21, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 35. IC 25-20-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. (a) Standards for licensing shall be determined by the board. ~~who~~ **The board** may require **that an applicant pass an examination by written and practical tests** in order to demonstrate that the applicant is qualified to fit and dispense hearing aids. ~~provided that it not~~ **An examination required under this section may not** be conducted in such a manner that college training ~~be~~ **is** required in order to pass the examination.

(b) Nothing in this section shall imply that the applicant shall possess the degree of medical competence normally expected by physicians. ~~The examinations shall be given at three (3) month intervals.~~

(c) The committee shall propose rules to the board concerning the competent practice of hearing aid dealing.

(d) The board shall adopt rules, based on the committee's proposed rules, under IC 4-22-2 establishing standards for competent practice as a hearing aid dealer."

Page 22, delete lines 4 through 42, begin a new paragraph and insert:

"SECTION 38. IC 25-22.5-1-2, AS AMENDED BY P.L.90-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) This article, as it relates to the unlawful or unauthorized practice of medicine or osteopathic medicine, does not apply to any of the following:

(1) A student in training in a medical school approved by the board, or while performing duties as an intern or a resident in a hospital under the supervision of the hospital's staff or in a program approved by the medical school.

(2) A person who renders service in case of emergency where no fee or other consideration is contemplated, charged, or received.

(3) A paramedic (as defined in IC 16-18-2-266), an emergency medical technician-basic advanced (as defined in IC 16-18-2-112.5), an emergency medical technician-intermediate (as defined in IC 16-18-2-112.7), an emergency medical technician (as defined in IC 16-18-2-112), or a person with equivalent certification from another state who renders advanced life support (as defined in IC 16-18-2-7) or basic life support (as defined in IC 16-18-2-33.5):

(A) during a disaster emergency declared by the governor under IC 10-14-3-12 in response to an act that the governor in good faith believes to be an act of terrorism (as defined in IC 35-41-1-26.5); and

(B) in accordance with the rules adopted by the Indiana emergency medical services commission or the disaster emergency declaration of the governor.

(4) Commissioned medical officers or medical service officers of the armed forces of the United States, the United States Public Health Service, and medical officers of the

United States Department of Veterans Affairs in the discharge of their official duties in Indiana.

(5) An individual who is not a licensee who resides in another state or country and is authorized to practice medicine or osteopathic medicine there, who is called in for consultation by an individual licensed to practice medicine or osteopathic medicine in Indiana.

(6) A person administering a domestic or family remedy to a member of the person's family.

(7) A member of a church practicing the religious tenets of the church if the member does not make a medical diagnosis, prescribe or administer drugs or medicines, perform surgical or physical operations, or assume the title of or profess to be a physician.

(8) A school corporation and a school employee who acts under IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).

(9) A chiropractor practicing the chiropractor's profession under IC 25-10 or to an employee of a chiropractor acting under the direction and supervision of the chiropractor under IC 25-10-1-13.

(10) A dental hygienist practicing the dental hygienist's profession under IC 25-13.

(11) A dentist practicing the dentist's profession under IC 25-14.

(12) A hearing aid dealer practicing the hearing aid dealer's profession under IC 25-20.

(13) A nurse practicing the nurse's profession under IC 25-23. However, a **certified** registered nurse **anesthetist** (as defined in IC 25-23-1-1.4) may administer anesthesia if the **certified** registered nurse **anesthetist** acts under the direction of and in the immediate presence of a physician. ~~and holds a certificate of completion of a course in anesthesia approved by the American Association of Nurse Anesthetists or a course approved by the board.~~

(14) An optometrist practicing the optometrist's profession under IC 25-24.

(15) A pharmacist practicing the pharmacist's profession under IC 25-26.

(16) A physical therapist practicing the physical therapist's profession under IC 25-27.

(17) A podiatrist practicing the podiatrist's profession under IC 25-29.

(18) A psychologist practicing the psychologist's profession under IC 25-33.

(19) A speech-language pathologist or audiologist practicing the pathologist's or audiologist's profession under IC 25-35.6.

(20) An employee of a physician or group of physicians who performs an act, a duty, or a function that is customarily within the specific area of practice of the employing physician or group of physicians, if the act, duty, or function is performed under the direction and supervision of the employing physician or a physician of the employing group within whose area of practice the act, duty, or function falls. An employee may not make a diagnosis or prescribe a treatment and must report the results of an examination of a patient conducted by the employee to the employing physician or the physician of

the employing group under whose supervision the employee is working. An employee may not administer medication without the specific order of the employing physician or a physician of the employing group. Unless an employee is licensed or registered to independently practice in a profession described in subdivisions (9) through (18), nothing in this subsection grants the employee independent practitioner status or the authority to perform patient services in an independent practice in a profession.

(21) A hospital licensed under IC 16-21 or IC 12-25.

(22) A health care organization whose members, shareholders, or partners are individuals, partnerships, corporations, facilities, or institutions licensed or legally authorized by this state to provide health care or professional services as:

- (A) a physician;
- (B) a psychiatric hospital;
- (C) a hospital;
- (D) a health maintenance organization or limited service health maintenance organization;
- (E) a health facility;
- (F) a dentist;
- (G) a registered or licensed practical nurse;
- (H) a midwife;
- (I) an optometrist;
- (J) a podiatrist;
- (K) a chiropractor;
- (L) a physical therapist; or
- (M) a psychologist.

(23) A physician assistant practicing the physician assistant profession under IC 25-27.5.

(24) A physician providing medical treatment under IC 25-22.5-1-2.1.

(25) An attendant who provides attendant care services (as defined in IC 16-18-2-28.5).

(26) A personal services attendant providing authorized attendant care services under IC 12-10-17.1.

(b) A person described in subsection (a)(9) through (a)(18) is not excluded from the application of this article if:

- (1) the person performs an act that an Indiana statute does not authorize the person to perform; and
- (2) the act qualifies in whole or in part as the practice of medicine or osteopathic medicine.

(c) An employment or other contractual relationship between an entity described in subsection (a)(21) through (a)(22) and a licensed physician does not constitute the unlawful practice of medicine under this article if the entity does not direct or control independent medical acts, decisions, or judgment of the licensed physician. However, if the direction or control is done by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the entity is excluded from the application of this article as it relates to the unlawful practice of medicine or osteopathic medicine.

(d) This subsection does not apply to a prescription or drug order for a legend drug that is filled or refilled in a pharmacy owned or operated by a hospital licensed under IC 16-21. A physician licensed in Indiana who permits or authorizes a person to fill or refill a prescription or drug order for a legend drug

except as authorized in IC 16-42-19-11 through IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A person who violates this subsection commits the unlawful practice of medicine under this chapter.

(e) A person described in subsection (a)(8) shall not be authorized to dispense contraceptives or birth control devices.

SECTION 39. IC 25-22.5-5-4.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.6. (a) The board may authorize the agency to issue temporary fellowship permits for the practice of medicine. A temporary fellowship permit is subject to any termination date specified by the board.**

(b) The board may issue a temporary fellowship permit to a graduate of a school located outside the United States, its possessions, or Canada if the graduate:

- (1) applies in the form and manner required by the board;**
- (2) pays a fee set by the board;**
- (3) has completed the academic requirements for the degree of doctor of medicine from a medical school approved by the board;**
- (4) has been issued a valid permit by another state for participation in a postgraduate medical education or training program located in a state that has standards for postgraduate medical education and training satisfactory to the board;**
- (5) has been accepted into a postgraduate medical fellowship training program that:**
 - (A) is affiliated with a medical school located in a state that issued a permit under subdivision (4);**
 - (B) has a training site located in Indiana; and**
 - (C) has standards for postgraduate medical education and training satisfactory to the board;**
- (6) provides the board with documentation of the areas of medical practice for which the training is sought;**
- (7) provides the board with at least two (2) letters of reference documenting the individual's character; and**
- (8) demonstrates to the board that the individual is a physician of good character who is in good standing outside the United States, its possessions, or Canada where the person normally would practice.**

(c) Applications for a temporary fellowship permit for graduates of foreign medical schools must be made to the board subject to this section.

(d) A permit issued under this section expires one (1) year after the date it is issued and, at the discretion of the board, may be renewed for additional one (1) year periods upon the payment of a renewal fee set by the board by rule.

(e) An individual who applies for a temporary fellowship permit under this section is not required to take any step of the United States Medical Licensure Examination.

(f) A temporary fellowship permit must be kept in the possession of the fellowship training institution and surrendered by the institution to the board within thirty (30) days after the person ceases training in Indiana.

(g) A temporary fellowship permit authorizes a person to practice in the training institution only and, in the course of

training, to practice only those medical acts approved by the board but does not authorize the person to practice medicine otherwise.

(h) The board may deny an application for a temporary fellowship permit if the training program that has accepted the applicant has:

- (1) violated; or**
- (2) authorized or permitted a physician to violate; this section.**

(i) A person issued a temporary fellowship permit under this section must file an affidavit that:

- (1) is signed by a physician licensed in Indiana;**
- (2) includes the license number of the signing physician;**
- (3) attests that the physician will monitor the work of the physician holding the temporary fellowship permit; and**
- (4) is notarized.**

The affidavit must be filed with the agency before the person holding the temporary fellowship permit may provide medical services.

SECTION 37. IC 25-23-1-1.4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.4.** As used in this chapter, "certified registered nurse anesthetist" means a registered nurse who:

- (1) is a graduate of a nurse anesthesia educational program accredited by the American Association of Nurse Anesthetists (referred to as the "AANA" in this chapter) Council on Accreditation of Nurse Anesthesia Educational Programs or its predecessor;**
- (2) is properly certified by successfully completing the certification examination administered by the AANA's Council on Certification of Nurse Anesthetists or its predecessor; and**
- (3) is properly certified and in compliance with criteria for biennial recertification, as defined by the AANA Council on Recertification of Nurse Anesthetists."**

Page 23, delete lines 1 through 25.

Page 23, line 39, delete "degree;" and insert **"degree in nursing;"**.

Page 23, line 40, delete "nursing;" and insert **"nursing in the previous six (6) years;"**.

Page 23, after line 42, begin a new paragraph and insert:

"SECTION 40. IC 25-23-1-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 30. (a) A certified registered nurse anesthetist may administer anesthesia if the certified registered nurse anesthetist acts under the direction of and in the immediate presence of a physician.

(b) Nothing in this chapter shall be construed as requiring a certified registered nurse anesthetist to obtain prescriptive authority to administer anesthesia under IC 25-22.5-1-2(12); subsection (a).

SECTION 41. IC 25-23.6-5-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 3.5. (a) The applicant for a license as a clinical social worker must have at least three (3) years of clinical social work experience; two (2) years of the clinical social work experience must take place after receiving the a graduate degree in social work and under the**

supervision of a ~~licensed clinical social worker or an equivalent~~ **qualified** supervisor as determined by the board.

(b) If the applicant's graduate program did not emphasize direct clinical patient care or client health care services, the supervised clinical social work experience requirement must take place after the applicant has completed at least fifteen (15) semester hours or twenty-two (22) quarter hours of the required coursework. **If an individual is obtaining the clinical social work experience described in subsection (a) in Indiana, the individual must be licensed as a social worker under section 1 of this chapter.**

(c) A doctoral internship may be applied toward the supervised clinical social work experience requirement.

(d) Except as provided in subsection (e), the clinical social work experience requirement may be met by work performed at or away from the premises of the ~~supervising clinical social worker~~ **qualified supervisor**.

(e) The clinical social work requirement may not be performed away from the ~~supervising clinical social worker's~~ **qualified supervisor's** premises if:

- (1) the work is the independent private practice of clinical social work; and
- (2) the work is not performed at a place with the supervision of a ~~licensed clinical social worker or an equivalent~~ **qualified** supervisor available. ~~as determined by the board.~~

Page 26, delete lines 26 through 42.

Page 27, delete lines 1 through 39.

Page 31, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 51. IC 25-27.5-5-2, AS AMENDED BY P.L.90-2007, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A physician assistant must engage in a dependent practice with physician supervision. A physician assistant may perform, under the supervision of the supervising physician, the duties and responsibilities that are delegated by the supervising physician and that are within the supervising physician's scope of practice, including prescribing and dispensing drugs and medical devices. A patient may elect to be seen, examined, and treated by the supervising physician.

(b) If a physician assistant determines that a patient needs to be examined by a physician, the physician assistant shall immediately notify the supervising physician or physician designee.

(c) If a physician assistant notifies the supervising physician that the physician should examine a patient, the supervising physician shall:

- (1) schedule an examination of the patient in a timely manner unless the patient declines; or
- (2) arrange for another physician to examine the patient.

(d) If a patient is subsequently examined by the supervising physician or another physician because of circumstances described in subsection (b) or (c), the visit must be considered as part of the same encounter except for in the instance of a medically appropriate referral.

(e) A supervising physician or physician assistant who does not comply with subsections (b) through (d) is subject to

discipline by the medical licensing board under IC 25-1-9.

(f) A physician assistant's supervisory agreement with a supervising physician must:

- (1) be in writing;
- (2) include all the tasks delegated to the physician assistant by the supervising physician;
- (3) set forth the supervisory plans for the physician assistant, including the emergency procedures that the physician assistant must follow; and
- (4) specify the name of the drug or drug classification being delegated to the physician assistant and the protocol the physician assistant shall follow in prescribing a drug.

(g) The physician shall submit the supervisory agreement to the board for approval. The physician assistant may not prescribe a drug under the supervisory agreement until the board approves the supervisory agreement. Any amendment to the supervisory agreement must be resubmitted to the board for approval, and the physician assistant may not operate under any new prescriptive authority under the amended supervisory agreement until the agreement has been approved by the board.

(h) A physician or a physician assistant who violates the supervisory agreement described in this section may be disciplined under IC 25-1-9."

Page 34, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 55. IC 25-38.1-3-1, AS ADDED BY P.L.58-2008, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) A person may not practice veterinary medicine in Indiana unless the person:

- (1) is licensed as a veterinarian in Indiana; or
- (2) holds a special permit issued by the board.

(b) The following persons are exempt from the licensing or special permit requirements of this chapter:

- (1) A veterinarian on the faculty of the School of Veterinary Medicine at Purdue University performing regular duties, or a veterinarian employed by the animal disease diagnostic laboratory established by IC 21-46-3-1 performing regular duties.
- (2) A veterinary medical officer serving in the United States armed forces or veterinarian employed by a federal, state, or local government agency performing veterinary medical services that are within the scope of official duties and are performed during the period of the person's service.
- (3) An individual who is a regular student in an accredited college of veterinary medicine performing duties or actions assigned by the faculty of the School of Veterinary Medicine at Purdue University or working under the direct supervision of a licensed veterinarian.
- (4) An extern.
- (5) A veterinarian who is licensed and is a resident in another state or country and consults with a veterinarian licensed under this article.
- (6) An owner or a contract operator of an animal or a regular employee of the owner or a contract operator caring for and treating an animal, except where the ownership of the animal was transferred for purposes of circumventing this chapter.

(7) A guest lecturing or giving instructions or demonstrations at the School of Veterinary Medicine at Purdue University, or elsewhere, in connection with a continuing education program.

(8) An individual while engaged in bona fide scientific research that:

(A) reasonably requires experimentation involving animals; and

(B) is conducted in a facility or with a company that complies with federal regulations regarding animal welfare.

(9) A graduate of a foreign college of veterinary medicine who is in the process of obtaining an ECFVG certificate and who is under the direct supervision of:

(A) the faculty of the School of Veterinary Medicine at Purdue University; or

(B) a veterinarian licensed under this article.

(10) A veterinarian who is enrolled in a postgraduate instructional program in an accredited college of veterinary medicine performing duties or actions assigned by the faculty of the School of Veterinary Medicine at Purdue University.

(11) A member in good standing of another licensed or regulated profession within Indiana who:

(A) provides assistance requested by a veterinarian licensed under this article;

(B) acts with the consent of the client;

(C) acts within a veterinarian-client-patient relationship; and

(D) acts under the direct or indirect supervision of the licensed veterinarian."

Page 35, line 22, after "IC 25-15-5-2;" insert "IC 25-22.5-5-4.5;"

Page 36, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 55. [EFFECTIVE UPON PASSAGE] **Any action taken under IC 25-22.5-5-4.5 after June 30, 2008, but before the passage of this act is legalized and validated.**"

Re-number all SECTIONS consecutively.

(Reference is to HB 1573 as reprinted February 17, 2009.) and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1210, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Page 2, between lines 33 and 34, begin a new line blocked left and insert "**The governor shall appoint the members of the board described in subdivisions (5) through (7).**"

Page 3, line 4, delete "expanses" and insert "**expenses**".

Page 3, line 13, delete "board, including the unanimous votes of the" and insert "**board**".

Page 3, delete line 14.

Page 3, line 15, delete "are present,".

Page 3, run in lines 13 through 15.

Page 3, block indent lines 24 through 28.

Page 4, line 18, delete "that" and insert "**than**".

Page 5, delete line 12.

(Reference is to HB 1210 as reprinted February 18, 2009.) and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1300, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 27-1-3-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31. (a) Not later than July 1, 2009, each insurer that issues accident and sickness insurance policies (as defined in IC 27-8-14.2-1) and each health maintenance organization shall provide the commissioner with the following information concerning the savings and costs of implementing direct reimbursement for a health care service provider that is out-of-network and that provides services to an insured or enrollee:**

(1) The costs incurred or savings experienced by the insurer or health maintenance organization in implementing direct reimbursement for providers described in this section.

(2) Operational costs incurred or savings experienced in implementing direct reimbursement for the providers described in this section.

(3) The number of additional health care service providers, by specialty, that would be reimbursed by the insurer or health maintenance organization after the insurer or health maintenance organization implemented direct reimbursement.

(4) Any other costs or savings that the insurer, health maintenance organization, or commissioner determines to be relevant to direct reimbursement.

(b) This section expires December 31, 2009."

Page 2, line 18, after "(c)" insert "**The health finance commission shall, during the 2009 interim, study whether an insurer should be required to directly reimburse a provider that is out-of-network for services provided to an insured or enrollee. In consideration of this issue, the commissioner of the department of insurance shall provide the health**

commission with the actuarial information collected under IC 27-1-3-31, as added by this act.

(d)".

Renumber all SECTIONS consecutively.

(Reference is to HB 1300 as printed February 20, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1494, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Engrossed House Bill 1116, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Engrossed House Bill 1339, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 32, after "infraction" delete "," and insert ".".

Page 2, line 32, strike "unless it is".

Page 2, line 32, strike "determined that".

Page 2, line 33, strike "the child will not fit in a child restraint system."

Page 2, line 34, delete "court determines" and insert **"person carries a certificate from a physician, physician's assistant, or advanced practice nurse stating"**.

Page 2, line 37, after "deformity;" insert **"or"**.

Page 2, line 38, delete "or".

Page 2, delete line 39.

Page 2, line 40, after "child" delete "." and insert **"and presents the certificate to the police officer or the court."**

Page 2, line 40, delete "In making its determination, the court may require".

Page 2, delete lines 41 through 42.

Page 3, line 20, delete "By July 1, 2010," and insert **"Not later than September 1, 2009,"**.

Page 3, line 21, delete "shall develop and implement a preservice special" and insert **"shall:**

(1) develop;

(2) provide to the general assembly and the public; and

(3) implement;

a plan to promote safe driving practices for drivers of special purpose buses.

(b) The plan developed under subsection (a) must provide clear, concise information concerning statutes and rules that affect special purpose buses and special purpose bus drivers.

(c) The department shall update the plan developed under subsection (a) as necessary.

(d) The department shall distribute the plan developed under subsection (a) in the most cost effective manner, as determined by the department."

Page 3, delete lines 22 through 34.

Page 4, line 27, after "license;" insert **"and"**.

Page 4, line 29, delete "IC 20-27-8-4; and" and insert **"IC 20-27-8-4."**

Page 4, delete lines 30 through 32.

(Reference is to HB 1339 as printed February 18, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1243, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "." and insert **"that are developed by the Association of Indiana Counties and approved by the state board of accounts."**

Page 1, line 6, delete "June 30, 2009," and insert **"November 4, 2008,"**.

Page 2, line 2, delete "shall" and insert **"shall, within two (2) years after beginning the county surveyor's term,"**.

Page 2, line 3, delete "within two (2) years" and insert **"that are developed by the Association of Indiana Counties and approved by the state board of accounts."**

Page 2, delete line 4.

(Reference is to HB 1243 as printed February 6, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1432, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1208, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, reset in bold "Sec. 6.6. (a) As used in this section, "advisory committee"".

Page 1, reset in bold lines 4 through 17.

Page 2, reset in bold lines 1 through 34.

Page 2, delete lines 35 through 42.

Delete pages 3 through 5.

Page 6, delete lines 1 through 25.

Renumber all SECTIONS consecutively.

(Reference is to HB 1208 as printed February 20, 2009.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Engrossed House Bill 1089, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed House Bill 1210.

Page 2, between lines 34 and 35, begin a new line blocked left and insert: "**The governor shall appoint the members of the board described in subdivisions (5) through (7).**".

(Reference is to EHB 1210 as reprinted February 18, 2009.)

LONG

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREES ASSIGNMENTS

Pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1379:

Conferees: Kruse and Tallian

Advisors: Hershman, Kenley, and Broden

LONG

Date: 3/26/2009

Time: 2:06 p.m.

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 68

House Concurrent Resolution 68, sponsored by Senator Nugent:

A CONCURRENT RESOLUTION honoring Kenneth Copeland.

Whereas, Kenneth Copeland, Ripley County Republican Chairman, is a recipient of the Distinguished Hoosier Award in recognition of his many contributions to Ripley County and the state of Indiana;

Whereas, The Distinguished Hoosier Award, one of the highest awards given by the state of Indiana to its citizens, is given to those Hoosiers who have made significant contributions to their community;

Whereas, The award, framed with old wood from the Busching covered bridge, was presented to Kenneth Copeland;

Whereas, Kenneth Copeland is truly a worthy recipient of the Distinguished Hoosier Award because, as the award states, "qualities and characteristics of such individuals reflect the best of the great state of Indiana...actions of these individuals endear them in the hearts and minds of all Hoosiers; and

Whereas, Kenneth Copeland has earned the admiration and respect of those who know him, and his outstanding reputation has earned him the respect of Hoosiers throughout the state: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Kenneth Copeland on receiving the Distinguished Hoosier Award and thanks him for his contributions to his party, his county, and his state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Kenneth Copeland.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

RESOLUTIONS ON SECOND READING

Senate Resolution 18

Senator Delph called up Senate Resolution 18 for second reading. The resolution was read a second time by title and adopted by voice vote.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 77

Senate Concurrent Resolution 77, introduced by

Senators Buck and Hershman:

A CONCURRENT RESOLUTION memorializing Charles B. Cropper.

Whereas, Charles B. Cropper left this life on Tuesday, February 24, 2009, at the age of 62;

Whereas, Born to Charles D. Cropper and M. Evelyn Cropper Storer on June 19, 1946, in Maysville, Kentucky, Charles B. Cropper lived his life with charity and love for all. He had no enemies;

Whereas, Charles B. Cropper was a veteran of the Vietnam era, serving in the Air Force from 1964 to 1968 during which time he was a broadcaster on the Armed Forces Radio Network;

Whereas, In 1969, Charles joined radio station WWKI and began hosting a popular public affairs program entitled "Male Call" with co-host Dick Bronson. "Male Call" recently celebrated its 10,000th broadcast;

Whereas, On June 9, 1985, Charles married Terri Titus and together they had four children, Michele, Gregory, Ryan, and Holly;

Whereas, In 1973, Charles was instrumental in founding a charity entitled "We Care" serving the community of Kokomo and surrounding areas by supporting the local charities of the Salvation Army, the Kokomo Rescue Mission, and the Kokomo Tribune sponsored Goodfellows;

Whereas, Charles B. Cropper served as president of We Care since 2006;

Whereas, Often recognized for his good works, Charles B. Cropper was named a Distinguished Hoosier by Governor Robert Orr, a Kentucky Colonel by Governor Paul Patton, and was given a day named in his honor by Kokomo mayor Steven Daily;

Whereas, Charles B. Cropper was a member of St. Patrick's Catholic Church, the Fraternal Order of the Eagles, and a former member of the Howard County Jaycees; and

Whereas, Charles B. Cropper won and held the love, respect, and admiration of all who knew him, he served his profession and his community faithfully and well, and he will be missed: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That we mourn the passing of this outstanding man and extend our heartfelt sympathy to his wife Terri, his daughters Michele and Holly, his sons Gregory and Ryan, his brother Anthony, and his six grandchildren.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the family of Charles B. Cropper.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Herrell, Clements, and Turner.

House Concurrent Resolution 67

House Concurrent Resolution 67, sponsored by Senator Leising:

A CONCURRENT RESOLUTION recognizing Ray Geis for his many years of leadership and dedicated service to the political process in Indiana.

Whereas, Ray Geis, a native of Decatur County, will be retiring after 22 years of service to the people of Decatur County and the state of Indiana;

Whereas, Active on many political levels, Ray Geis has served as a precinct committee person since the late 1960s and as Decatur County Republican Chairman since 1988;

Whereas, Ray has also served as a delegate to the Indiana Republican state convention and as an alternate and delegate to the Republican National Convention;

Whereas, Ray Geis is the retired co-owner of Geis & Seneft Excavating Company and an active family man;

Whereas, Ray Geis is a member of St. Mary's Catholic Church in Greensburg, where he serves on the Maintenance Committee and on the Board of Edelweiss Children's Home, and the Knights of Columbus;

Whereas, A veteran of the Korean War, Ray served his country honorably in the United States Army; and

Whereas, Ray Geis was a driving force with the Republican Party in Decatur County; his vision and organizational skills helped to shape the landscape of politics in Decatur County for many years: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Ray Geis for his years of dedicated service to Decatur County and Indiana politics and congratulates him on his retirement.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Ray Geis.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

**ENGROSSED HOUSE BILLS
ON SECOND READING**

Engrossed House Bill 1032

Senator Hershman called up Engrossed House Bill 1032 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1204

Senator Kruse called up Engrossed House Bill 1204 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1381

Senator Stutzman called up Engrossed House Bill 1381 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1460

Senator Buck called up Engrossed House Bill 1460 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1460-1)

Madam President: I move that Engrossed House Bill 1460 be amended to read as follows:

Page 4, delete lines 4 through 6.

Page 4, line 7, delete "(c)" and insert "(b)".

Page 4, line 12, delete "(d)" and insert "(c)".

Page 4, line 12, after "may" insert "not".

Page 4, line 13, delete "only a home or branch" and insert "any office that:

- (1) reports to an office of supervisory jurisdiction located within Indiana;
- (2) reflects the address of the office of supervisory jurisdiction described in subdivision (1) on all of the office's business cards, stationery, advertisements, and other communications to the public; and
- (3) is included in the definition of branch office under the National Association of Securities Dealers Conduct Rule 3010(g) because the office:

(A) handles funds or securities as described under the National Association of Securities Dealers Conduct Rule 3010(g)(2)(A)(ii)(c); or

(B) uses the residential address on all business cards, stationery, advertisements, or other communications to the public under the National Association of Securities Dealers Conduct Rule 3010(g)(2)(A)(ii)(d)."

Page 4, delete lines 14 through 18.

(Reference is to EHB 1460 as printed March 20, 2009.)

BUCK

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1462

Senator Lubbers called up Engrossed House Bill 1462 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1462-2)

Madam President: I move that Engrossed House Bill 1462 be amended to read as follows:

Page 2, line 15, strike "(c)" and insert "(d)".

Page 5, line 41, delete "of a school corporation".

Page 6, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 6. IC 20-24-8-5, AS AMENDED BY P.L.2-2006, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

- (1) IC 5-11-1-9 (required audits by the state board of accounts).
- (2) IC 20-39-1-1 (unified accounting system).
- (3) IC 20-35 (special education).
- (4) IC 20-26-5-10 and ~~IC 20-28-5-9~~ (criminal history).
- (5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- (6) IC 20-28-7-14 (void teacher contract when two (2) contracts are signed).
- (7) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- (8) IC 20-28-10-14 (teacher freedom of association).
- (9) IC 20-28-10-17 (school counselor immunity).
- (10) For conversion charter schools only, IC 20-28-6, IC 20-28-7, IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- (11) IC 20-33-2 (compulsory school attendance).
- (12) IC 20-33-3 (limitations on employment of children).
- (13) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- (14) IC 20-33-8-16 (firearms and deadly weapons).
- (15) IC 20-34-3 (health and safety measures).
- (16) IC 20-33-9 (reporting of student violations of law).
- (17) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- (18) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8, or any other statute, rule, or guideline related to standardized testing (assessment programs, including remediation under the assessment programs).
- (19) IC 20-33-7 (parental access to education records).
- (20) IC 20-31 (accountability for school performance and improvement).

SECTION 7. IC 20-26-1-1, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: (a) Sec. 1. IC 20-26-1 through IC 20-26-5 and IC 20-26-7 apply to all school corporations.

(b) Notwithstanding subsection (a), IC 20-26-5-10 applies to:

- (1) a school corporation;
- (2) a charter school; and
- (3) an accredited nonpublic school.

SECTION 8. IC 20-26-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1.5. "Expanded criminal history check" means a criminal history background check of an individual that includes:

(1) a:

(A) search of the records maintained by all counties in Indiana in which the individual who is the subject of the background check resided;

(B) search of the records maintained by all counties or similar governmental units in another state, if the individual who is the subject of the background check resided in another state; and

(C) check of:

(i) sex offender registries in all fifty (50) states; or

(ii) the national sex offender registry maintained by the United States Department of Justice; or

(2) a:

(A) national criminal history background check (as defined in IC 10-13-3-12); and

(B) check of:

(i) sex offender registries in all fifty (50) states; or

(ii) the national sex offender registry maintained by the United States Department of Justice."

Page 6, line 4, after "including a" strike "school".

Page 6, line 5, strike "township".

Page 6, line 5, delete "and a".

Page 6, line 5, delete "," and insert "**and an accredited nonpublic school,**".

Page 6, line 17, strike "school township".

Page 6, line 17, delete "and a".

Page 6, line 18, delete "," and insert "**and an accredited nonpublic school,**".

Page 6, line 21, after "corporation" insert ", **charter school, or accredited nonpublic school**".

Page 6, line 27, delete "." and insert ", **charter school, or accredited nonpublic school**".

Page 6, line 30, after "corporation" insert ", **charter school, or accredited nonpublic school**".

Page 6, line 35, after "corporation" insert ", **charter school, or accredited nonpublic school**".

Page 7, line 42, after "corporation" insert ", **charter school, or accredited nonpublic school**".

Page 8, delete lines 4 through 26, begin a new paragraph and insert:

"SECTION 10. IC 20-28-4-11, AS ADDED BY P.L.150-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. (a) This section applies only to:

(1) a school corporation; or

(2) a subject area;

that is designated by the state board as having an insufficient supply of licensed teachers.

(b) The governing body of a school corporation or the appointing authority of an accredited nonpublic school may employ a program participant if the program participant is hired to teach in a subject area or a school corporation to which this section applies.

(c) Before employing a program participant under subsection (b), the superintendent of the school corporation must make a determination that one (1) of the following conditions exists:

(1) There is no fully certified and highly qualified teacher available for the position.

(2) The program participant is the best qualified candidate for the position.

(d) A program participant who is employed under this section is eligible to receive a transition to teaching permit. The transition to teaching permit is valid for three (3) years, and may not be renewed. ~~IC 20-28-5-9 applies to a program participant who applies for a transition to teaching permit.~~

(e) A program participant who is employed under this section:

(1) shall enter into either:

(A) a regular teacher's contract under IC 20-28-6-5; or

(B) a temporary teacher's contract under IC 20-28-6-6, if replacing a teacher on a leave of absence;

(2) is eligible to participate in a mentor teacher program; and

(3) satisfies the field or classroom experience component of the program under section 4(3) of this chapter.

(f) The state board:

(1) shall review; and

(2) may renew;

the designation of a school corporation or a subject area as having an insufficient supply of licensed teachers not more than two (2) years following the initial designation under subsection (a)."

Page 10, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 13. IC 20-28-5-15, AS ADDED BY P.L.75-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 15. (a) Notwithstanding section 3(b)(6) of this chapter, the department shall grant an initial practitioner's license in a specific subject area to an applicant who:

(1) has earned a postgraduate degree from a regionally accredited postsecondary educational institution in the subject area in which the applicant seeks to be licensed;

(2) has at least one (1) academic year of experience teaching students in a middle school, high school, or college classroom setting; and

(3) complies with sections 4 ~~9~~ and 12 of this chapter.

(b) An individual who receives an initial practitioner's license under this section may teach in the specific subject for which the individual is licensed only in:

(1) high school; or

(2) middle school;

if the subject area is designated by the state board as having an insufficient supply of licensed teachers.

(c) After receiving an initial practitioner's license under this section, an applicant who seeks to renew the applicant's initial practitioner's license or obtain a proficient practitioner's license must:

(1) demonstrate that the applicant has:

(A) participated in cultural competency professional development activities;

(B) obtained training and information from a special education teacher concerning exceptional learners; and

(C) received:

(i) training or certification that complies; or

(ii) an exemption from compliance;

with the standards set forth in section 3(c) of this

chapter; and

(2) meet the same requirements as other candidates."

Page 14, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 19. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2009]: IC 20-28-1-8; IC 20-28-5-9."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1462 as printed March 20, 2009.)

LUBBERS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1561

Senator Hershman called up Engrossed House Bill 1561 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1473

Senator Walker called up Engrossed House Bill 1473 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senator Delph be added as cosponsor of House Concurrent Resolution 68.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Stutzman and Hume be added as cosponsors of Engrossed House Bill 1204.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author of Senate Resolution 44.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as third sponsor and Senator Lanane be added as cosponsor of Engrossed House Bill 1278.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Miller be added as cosponsor of Engrossed House Bill 1382.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as third sponsor of Engrossed House Bill 1461.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author, Senator Kruse be added as third author, and Senators Stutzman, Buck, Waltz, Boots, Steele, Waterman, Nugent, Paul, Leising, Holdman, and M. Young be added as coauthors of Senate Resolution 42.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as cosponsor of Engrossed House Bill 1415.

GARD

Motion prevailed.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on March 26, 2009, signed Senate Enrolled Acts: 271 and 346.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1379. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees:

Niezgodski, Chair

Leonard

Advisors:

Stilwell, Borrer, and Torr

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 221, 39, and 126 with amendments and the same are herewith returned to the Senate for concurrence.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 244 and 254 with amendments and the same are herewith returned to the Senate for concurrence.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 301 and 304 and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bill 424 and the same is herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 307, 342, 376, 480, and 486 with amendments and the same are herewith returned to the Senate for concurrence.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 67 and 68 and the same are herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 27 and 545 and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill 388 with amendments and the same is herewith returned to the Senate for concurrence.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 46 and the same is herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Resolution 18.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as cosponsor of Engrossed House Bill 1032.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breau be added as third sponsor of Engrossed House Bill 1360.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of Engrossed House Bill 1077.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 30, 2009.

LONG

Motion prevailed.

The Senate adjourned at 2:46 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate